IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 75 OF 2007
IN
WRIT PETITION NO. 2962 OF 2006

Kanchandevi Shantilal Jain ...Applicant/ Petitioner

V/s.

State of Maharashtra & Ors. ...Respondents

Ms.K.B. Kshirsagar i/b. A.M. Kulkarni for the applicant.
Ms.S.M. Dandekar, AGP for Respondent Nos.1 and 2.

CORAM : V.M. KANADE, J.

DATED : APRIL 20, 2007

P.C. :-

1. Heard the learned Counsel for the applicant.

2. By this Chamber Summons, the applicant/petitioner is seeking extension of time which is granted by this Court in Writ Petition (Lodging) No.2109/2006 by order dated 14.11.2006.

3. It is submitted by the learned Counsel for the petitioner that this Court had granted four weeks' time to the petitioner to make representation to the Assistant Commissioner and a further direction was given

to the Assistant Commissioner to examine the claim of the petitioner and to decide it on merits and in accordance with law.

4. In the affidavit in support, the petitioner has stated that he met with an accident on 10.11.2006 and had to be operated and was taking treatment till 15.2.2007. As a result, he could not file the representation within four weeks as directed by this Court. It is stated that however, after he had recovered from injuries which he had suffered in the accident, he filed a representation on 18.1.2007 to the Municipal Corporation.

5. The learned Counsel submits that therefore, time granted by this Court by its order dated 14.11.2006 may be extended and the Municipal Corporation may be directed to decide the representation which has been filed by the petitioner on 18.1.2007.

6. In my view, the said prayer will have to be granted. For reasons stated in the affidavit in

support, the Chamber Summons is allowed.

7. The Assistant Municipal Commissioner, G-North Ward of the Municipal Corporation is directed to decide the representation filed by the petitioner on 18.1.2007 on merits. The time granted by this Court by order dated 14.11.2006 is extended to 18th January, 2007.

8. With these directions, the Chamber Summons is allowed and is disposed of accordingly.

(V.M. KANADE, J.)